



**Demovsky Lawyer Service**

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and Process Service Company

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Case No. 07-md-1902 (GEL)

In re REFCO, INC. SECURITIES LITIGATION

X

This Document Relates To:

X

KENNETH M. KRYS and CHRISTOPHER STRIDE, as JOINT OFFICIAL LIQUIDATORS of SPHINX LTD., SPHINX STRATEGY FUND LTD.; SPHINX PLUS SPC LTD., SPHINX DISTRESSED LTD., SPHINX MERGER ARBITRAGE LTD.; SPHINX SPECIAL SITUATIONS LTD., SPHINX MACRO LTD.; SPHINX LONG/SHORT EQUITY LTD.; SPHINX MANAGED FUTURES LTD.; SPHINX EQUITY MARKET NEUTRAL LTD.; SPHINX CONVERTIBLE ARBITRAGE LTD.; SPHINX FIXED INCOME ARBITRAGE LTD.; SPHINX DISTRESSED FUND SPC; SPHINX MERGER ARBITRAGE FUND SPC; SPHINX SPECIAL SITUATIONS FUND SPC; SPHINX MACRO FUND SPC; SPHINX LONG/SHORT EQUITY FUND SPC; SPHINX MANAGED FUTURES FUND SPC; SPHINX EQUITY MARKET NEUTRAL FUND SPC; SPHINX CONVERTIBLE ARBITRAGE FUND SPC; SPHINX FIXED INCOME ARBITRAGE FUND SPC; PLUSFUNDS MANAGED ACCESS FUND SPC LTD.; KENNETH M. KRYS and CHRISTOPHER STRIDE as assignees of claims assigned by MIAMI CHILDREN'S HOSPITAL FOUNDATION, OFI, GREEN & SMITH INVESTMENT MANAGEMENT LLC, THALES FUND MANAGEMENT LLC, KELLNER DILEO & CO., LLC, MARTINGALE ASSET MANAGEMENT LP, LONGACRE FUND MANAGEMENT LLC, ARNHOLD & S. BLEICHROEDER ADVISERS LLC, PICTET & CIE, RGA AMERICA REINSURANCE COMPANY, DEUTSCHE BANK (SUISSE) SA, ARAB MONETARY FUND, HANSARD INTERNATIONAL LTD., CONCORDIA ADVISORS LLC, GABELLI SECURITIES, INC., CITCO GLOBAL CUSTODY; and JAMES P. SINCLAIR as Trustee of the SPHINX TRUST,

:

Plaintiffs,



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-against-

CHRISTOPHER SUGRUE; MARK  
KAVANAGH; BRIAN OWENS;  
PRICEWATERHOUSECOOPERS L.L.P.; MARI  
FERRIS; PRICEWATERHOUSECOOPERS  
CAYMAN ISLANDS; GIBSON, DUNN &  
CRUTCHER LLP; REFCO ALTERNATIVE  
INVESTMENTS LLC; GRANT THORNTON  
LLP; MARK RAMLER; ERNST & YOUNG U.S.  
LLP; MAYER BROWN LLP f/k/a MAYER  
BROWN ROWE & MAW LLP; JOSEPH  
COLLINS; EDWARD S. BEST; PAUL KOURY;  
PHILLIP R. BENNETT; ROBERT C. TROSTEN;  
TONE GRANT; SANTO MAGGIO; THOMAS  
HACKL; DENNIS KLEJNA; BAWAG P.S.K.  
BANK FUR ARBEIT UND WIRTSCHAFT UND  
OSTERREICHISCHE POSTPARKASSE  
AKTIENGESELLSCHAFT; JP MORGAN  
CHASE & CO.;  
CREDIT SUISSE SECURITIES  
(USA) LLC f/k/a CREDIT SUISSE FIRST  
BOSTON LLC; BANC OF AMERICA  
SECURITIES LLC; THOMAS H. LEE  
PARTNERS, L.P.; THOMAS H. LEE  
ADVISORS, LLC; THL MANAGERS V, LLC;  
THL EQUITY ADVISORS V, L.P.; THOMAS H.  
LEE EQUITY FUND V, L.P.; THOMAS H. LEE  
PARALLEL FUND V, L.P.; THOMAS H. LEE  
EQUITY (CAYMAN) FUND V, L.P.; THOMAS  
H. LEE INVESTORS LIMITED PARTNERSHIP;  
1997 THOMAS H. LEE NOMINEE TRUST;  
THOMAS H. LEE; DAVID V. HARKINS;  
SCOTT L. JAECKEL; SCOTT A. SCHOEN;  
WILLIAM T. PIGOTT; LIBERTY CORNER  
CAPITAL STRATEGIES, LLC; EMF  
FINANCIAL PRODUCTS LLC; EMF CORE  
FUND LTD.; DELTA FLYER FUND LLC; ERIC  
M. FLANAGAN; INGRAM MICRO, INC.; CIM  
VENTURES, INC.; BECKENHAM TRADING  
CO., INC.; ANDREW KRIEGER; COAST  
ASSET MANAGEMENT, LLC, f/k/a COAST  
ASSET MANAGEMENT LP; CS LAND  
MANAGEMENT LLC; CHRISTOPHER  
PETTIT; and REFCO GROUP HOLDINGS,  
INC.; and REFCO ASSOCIATES, INC.,

Defendants

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STATE OF MASSACHUSETTS

S.S.:

COUNTY OF PLYMOUTH



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PETER C. MURPHY, being duly sworn, deposes and says that he is over the age of eighteen years, is an agent of the attorney service, DLS, INC., and is not a party of this action.

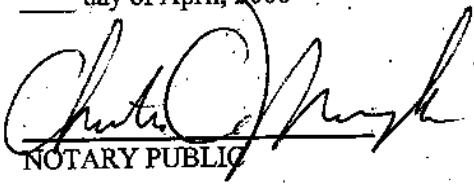
That on the 16<sup>th</sup> day of April, 2008, at approximately the time of 3:35 PM, deponent served a true copy of the FEDERAL SUMMONS ISSUED AND PLAINTIFF'S DEMAND FOR JURY TRIAL IN CIVIL ACTIONS 08-cv-3065 and 08-cv-3086; NOTICE OF REMOVAL FILED BY DEFENDANT BAWAG, 08-cv-3065; NOTICE OF REMOVAL FILED BY VARIOUS DEFENDANTS, 08-cv-3086; SUMMONS AND COMPLAINT FOR THE ACTION COMMENCED IN NEW YORK SUPREME COURT; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3065; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3086; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3086; AND NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3086 upon THOMAS H. LEE INVESTORS LIMITED PARTNERSHIP at 100 Federal Street, 35<sup>th</sup> Floor, Boston, MA, by personally delivering and leaving the same with SHERI WOLKAN who informed deponent that she holds the position of In-House Counsel and is authorized by appointment to receive service at that address.

SHERI WOLKAN is a white female, approximately 45 years of age, stands approximately 5 feet 5 inches tall, weighs approximately 135 pounds with brown hair and brown eyes.



PETER C. MURPHY

Sworn to before me this  
25 day of April, 2008



NOTARY PUBLIC